



**STATE OF WASHINGTON**  
**OFFICE OF FINANCIAL MANAGEMENT**  
STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM  
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July 2, 2013

TO: Elyse Maffeo, General Counsel  
Public School Employees of Washington (PSE)

FROM: Teresa Parsons, SPHR  
Director's Review Program Supervisor

SUBJECT: Polly Berseth v. Western Washington University (WWU)  
Allocation Review Request ALLO-12-060

On May 1, 2013, I conducted a Director's review telephone conference regarding the allocation of Polly Berseth's position. You and Ms. Berseth both participated in the Director's review conference. Holly Karpstein, Classification/Compensation Manager, Human Resources Department, represented WWU. In addition, Doug Adelstein, Assistant Director, Labor/Employee Relations, and Dr. Steven Emory, AMSEC [Advanced Materials Science and Engineering Center] Director, Associate Professor Chemistry, also participated in the conference.

**Director's Determination**

This position review was based on the work performed for the six-month period prior to June 26, 2012, the date Ms. Berseth submitted her request for a position review to WWU's Human Resources (HR) Department. As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Berseth's assigned duties and responsibilities, I conclude her position is properly allocated to the Research Analyst 4 classification.

**Background**

Ms. Berseth completed a Position Questionnaire (PQ) and submitted it to WWU's HR Office on June 26, 2012. The PQ was subsequently signed by Steven Emory, AMSEC Director, and Jeff Wright, Dean of Sciences and Technology in September 2012.

AMSEC is a relatively new program and provides educational opportunities for students in the areas of chemistry, geology, physics, engineering technology, biology and math. WWU

indicates that "[t]he purpose of the AMSEC program is to provide undergraduate students real life experience by coordinating student projects with external companies that may have a need for research data" (Exhibit B-5).

### **Summary of Ms. Berseth's Perspective**

Ms. Berseth asserts her position functions as the first line supervisor for AMSEC, which requires considerable responsibility and independent judgment. She asserts she has been recognized as "the program expert" and provides expert advice to external and internal clients, including students, faculty, teaching assistants, five academic departments, and outside regional clients. Ms. Berseth contends she is solely responsible for the principal portion of AMSEC's work managing the lab because the Director serves a part-time role. She further points out that her position has worked with three different directors since she has been in the position.

Ms. Berseth further contends she performs a wide scope of complex duties associated with AMSEC and has primary responsibility for representing the university to external parties, providing advice on research projects, and serving as the department lead for the lab facility, including risk management and compliance with chemical hygiene laws and required storage systems. Ms. Berseth contends she performs her duties under "administrative direction" due to her level of expertise and because of the AMSEC Director's part-time role (Exhibit A-2).

### **Summary of WWU's Reasoning**

WWU contends Ms. Berseth's responsibilities include managing the daily operation of the AMSEC lab and ensuring those using the lab are trained to meet user and safety standards. However, WWU asserts her position does not have supervisory responsibilities as described by the definition of supervisor. WWU recognizes Ms. Berseth's level of expertise in material chemistry and lab management and acknowledges she advises faculty and students on instrumentation, data integrity, and design support for independent research and completion of projects for regional companies. WWU also agrees Ms. Berseth serves as the primary source for information regarding AMSEC's research capabilities for projects with varying degrees of complexity. However, WWU asserts the program is led by the AMSEC Committee comprised of faculty who define the goals and provisions of the program and that the AMSEC Director initiates program implementation and approves external research requests.

WWU asserts Ms. Berseth's responsibilities including oversight of the lab's daily operations, planning for procurement of equipment and supplies, reviewing regional projects for sustainability, and providing data to the Director for reporting and grant writing efforts. WWU acknowledges Ms. Berseth has budget authority for purchasing supplies within delegated guidelines and that she plans and forecasts budget expenditures and makes recommendations. However, WWU contends the AMSEC Director and the Committee review all recommendations and retain final approval. While WWU recognizes Ms. Berseth's level of expertise and knowledge, WWU contends the RA 4 class requires a high level of expertise involving complex, specialized work. As a result, WWU contends Ms. Berseth's position is properly allocated to the RA 4 classification (Exhibits B-5 and B-2).

### **Rationale for Director's Determination**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the

volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

### Duties and Responsibilities

The Position Questionnaire (PQ) identifies Program Manager Tina Copsey as Ms. Berseth's immediate supervisor (Exhibit B-1). During the Director's review conference, the parties clarified that Ms. Copsey's position manages the administrative functions of AMSEC, providing administrative support to the Director. Ms. Berseth reports to Ms. Copsey for administrative type issues but works directly with the Director on technical, scientific issues.

In summary, the duties and responsibilities assigned to Ms. Berseth's position have been described as follows (Exhibits A-2, A-3 (B-2), and B-1).

### 20%

- Administer, oversee, and direct day to day operation of the AMSEC lab, which is a shared user facility by research faculty, students, and classes from five departments.
- Program and track the schedule for lab use to accommodate teaching and research.
- Monitor quality control of data on instrumentation, interface with instrument manufacturers to discuss application questions, maintenance, and warranty issues.
- Perform budget planning for the facility and perform lab procurement.

*In Part III of the PQ, Director Steven Emory wrote, in part, the following:*

*Polly Berseth works rather independently in her position. I meet with her regularly (biweekly) to review operations and to set priorities. I review major spending and policy decisions before they are implemented.*

*He further indicated that Ms. Berseth has authority to manage the lab budget, stating, in part, "[i]f large items of more than a couple of thousand dollars are needed then Polly discusses first but otherwise she buys what is needed" (Exhibit B-1, page 8).*

### 20%

- Train and supervise faculty, student researchers, technician staff, and AMSEC teaching assistants.
- Train on instrument use and supervise course development projects.
- Consult with students working with faculty on original independent research and guide interpretation of results and quality control as needed.
- Supervise and guide student workers running experiments in support of AMSEC's work with regional companies providing materials characterization and/or identification.
- Review results and edit or write final complex reports for clients.

*In Part III of the PQ, Mr. Emory indicated that Ms. Berseth directs and assigns TA (teaching assistant) duties each quarter. Ms. Berseth "sends an email to faculty and*

*then assigns TAs at her discretion.” With regard to outside projects, Mr. Emory indicated that “Polly talks to companies about their projects, estimates prices for services, finds faculty to work with companies (when appropriate), assists on projects, and supervises some projects herself” (Exhibit B-1, page 8).*

15%

- Risk management of entire user facility, including environmental health and safety compliance and system setup.
- Revise safety documents (e.g. for X-ray radiation) create online quiz to track training required by law.
- Set up and track chemical inventory and devise waste tracking system for state compliance.
- Manage other safety aspects of lab environment.

10%

- Act as primary contact for companies in assisting with materials analysis, research and development. Make independent decisions on whether projects are acceptable and provide a learning experience for student participation.
- Assist students in preparing projects and reports of a highly complex nature.

10%

- Lab design and development (special project). Serve as lead staff person representing faculty from chemistry, geology, physics, engineering technology, biology and math, and work with architects to design and renovate 2,500 square feet of lab space. Use in-depth knowledge of facilities requirements, user needs, and lab design.

10%

- Provide expertise in field of materials chemistry, internal and external.
- Serve on master's student thesis committee.
- Teach in the absence of faculty.
- Aid in course development and original research.
- Give guest lectures in science classes, chemistry and physics at WWU and Whatcom Community College.

10%

- Create and maintain AMSEC multi-user facility resources by learning new instruments, writing instruction manuals, attending courses at national meetings and software training, networking, providing Director and faculty with written reports on facility use data for grant proposals and reporting.

5%

- Participate in campus outreach activities.

*Mr. Emory added the following comments to the supervisor portion of the PQ: "Polly Berseth's Ph.D research experience is valuable to the university as she can assist students with their research projects with minimal input from faculty and is a resource for materials chemistry questions" (Exhibit B-1, page 8).*

### Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The **Management Analyst** class series concept reads as follows:

Positions in this series analyze management problems, provide consultation, develop strategies, conduct research, formulate recommendations, and coordinate implementation of strategic and long-range planning activities in areas such as business and organizational planning, budgeting, operations, policy issues, and proposed legislation. Incumbents develop and implement processes for monitoring and measuring outcomes of activities.

The **Management Analyst 5** definition states, in part, the following:

Positions at this level work under administrative direction and function as the expert and/or supervisor researching, analyzing, and making recommendations regarding multidimensional and/or complex, unprecedented issues having a broad scope and significant impact on outside agencies or institutions, organizations, and the public.

Ms. Berseth's primary focus is to oversee the daily functions of a research lab facility to ensure equipment is properly and safely used in support of academic research projects. The Management Analyst class series involves business and organizational planning in support of business operations. Therefore, allocation to the Management Analyst series is not the best fit.

The **Program Specialist** class series concept states, in part, the following:

Positions in this series coordinate discrete, specialized programs consisting of specific components and tasks that are unique to a particular subject and are separate and distinguished from the main body of an organization. Positions coordinate program services and resources; act as a program liaison and provide consultation to program participants and outside entities regarding functions of the program; interpret, review and apply program specific policies, procedures and regulations; assess program needs; and develop courses of action to carry out program activities. Program coordination also requires performance of tasks and application of knowledge unique to the program and not transferable or applicable to other areas of the organization.

The **Program Specialist 5** definition states, in part, the following:

Positions at this level work under administrative direction, have organization-wide program management responsibilities, are recognized as the program expert and

typically supervise lower-level professional program staff. . . . Incumbents perform a wide scope of complex duties and responsibilities in the management of a program, exercise independent judgment, have delegated decision-making authority and typically have delegated budgetary authority. . . .

Again, the primary focus of Ms. Berseth's position is to oversee the daily aspects of a research facility. While there may be aspects of her job that generally fit the Program Specialist series, the Research Analyst series provides a better fit overall. In addition, positions allocated to the Program Specialist 5 class have organization-wide program management responsibilities, and Ms. Berseth's duties and responsibilities focus specifically on the AMSEC lab.

The **Instruction & Classroom Support Technician (ISCT)** class series concept includes the following:

Positions in this series perform various instructional and classroom support services including . . . scientific instructional programs . . . assisting in the individualized or group instruction of students in development of learning skills; or working with faculty or instructors in preparing, modifying, and/or developing instructional programs . . . materials and equipment associated with . . . laboratory instruction which requires positions to have technical knowledge of the discipline(s).

The **Instruction & Classroom Support Technician 4** definition states, in part, that positions "have significant responsibility in planning, developing, implementing, and reviewing scientific instructional support programs requiring knowledge of a scientific discipline." Further, responsibilities may involve "providing technical and scientific expertise in the coordination of projects and programs related to the development of instructional materials for science faculty and external science education professionals."

Ms. Berseth's duties are encompassed within the ICST 4 classification as well. She has significant responsibility in planning and scheduling the lab activities and supporting scientific instructional programs, which require knowledge of scientific disciplines. She also provides scientific expertise in the coordination of projects for AMSEC.

However, the research component of her job and her position's oversight of equipment used in various research projects and activities occurring in the AMSEC lab better align with the Research Analyst classifications.

There is no specific class series concept for the **Research Analyst** classifications. The **Research Analyst 5 (RA 5)** definition states the following:

Plans, directs, and manages a research, statistical, or data analysis activity of major scope, significance and complexity; OR, supervises a staff of professional level personnel involved with research, statistical, or data analysis work.

The RA 5 distinguishing characteristics include the following:

Positions in this class are responsible for a principal portion or phase of a major research or statistical analysis program. These positions function as a unit chief, or equivalent, over a distinct unit of research or statistical analysis personnel on a

continuing basis. Positions work at an equivalent technical level characterized by the necessity for considerable originality or responsibility, and independent judgment. Positions prioritize, assign and schedule research activities. Positions also carry responsibility for final reports, conclusions and recommendations; and for all technical and/or supervisory decisions related to their assigned research or statistical undertakings.

Direction is received from a research or administrative supervisor which is mainly administrative in nature.

Ms. Berseth has considerable responsibility in overseeing the daily operations of the AMSEC lab, which includes technical assistance and consultation on highly specialized equipment and work with students and faculty on research projects. The research projects vary in scope and complexity, depending on the needs of those using the lab. Ms. Berseth has the technical expertise to advise all lab users, and she supervises the work of TAs who provide instruction to students as well.

There are aspects of her job that reach the RA 5 level. For example, she plans, directs, and manages the activities occurring in the lab, including those of major scope, significance, and complexity. Mr. Emory also noted that Ms. Berseth "supervises some projects."

Although she coordinates and schedules all research activities for the shared lab facility, there is still a level of oversight by the AMSEC Director and Committee. For example, Ms. Berseth's position has not been assigned responsibility for determining which research projects occur in the lab or defining the goals and provisions of the program. Instead, that level of responsibility resides with the AMSEC Director and Committee, as well as the faculty members in charge of individual research projects.

I recognize Ms. Berseth provides significant input and works collaboratively with the faculty members involved with AMSEC, and she oversees, monitors, instructs, and provides technical advice on the equipment used to carry out the research activities. In total, however, the majority of duties and overall level of responsibility assigned to her position better align with the Research Analyst 4 class level, which also performs work under administrative direction.

Specifically, the **Research Analyst 4** definition states the following:

Lead Research Analysts or others.

Perform assigned tasks of the highest specialized and technical level with total responsibility for determining method of development, design, analysis and coordination of complex research projects and studies regarding various characteristics.

The RA 4 distinguishing characteristics include the following:

Regularly assign, instruct and check the work of others.

Under administrative direction, independently develop technical work methods in production of projects and analyses of research data. Determine the development, design, implementation, maintenance and modification of complex

research projects involving data collection and manipulation, analytical modeling, computer application and reporting systems.

Ms. Berseth works independently under administrative direction, and she performs tasks of the highest specialized and technical level with total responsibility for determining method of development, design, analysis and coordination of complex research projects that occur in the AMSEC lab.

Further, while examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. While not exact, the following RA 4 typical work examples are comparable to Ms. Berseth's overall duties and responsibilities:

- Perform highly specialized complex activities in planning, directing and coordinating project requirements; develop . . . procedures for reporting research information . . . ;
- Devise and assure the design, performance and review of various statistical analyses involving characteristics such as students, instruction, faculty, finances, budget, physical plant, etc.;
- Analyze reports prepared by other[s] . . . to evaluate their impact on, or relationship to, the institution's goals and objectives;
- Establish project data requirements and collection methods . . .

It is clear Ms. Berseth's work is highly valued by AMSEC and the university. A position's allocation is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position and how that work best aligns with the available job classes.

Further, the Personnel Resources Board has previously determined that most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The overall scope of duties and level of responsibility assigned to Ms. Berseth's position at the time relevant to this review best fit the Research Analyst 4 (RA 4) classification.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.



The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 4<sup>th</sup> floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington. The main telephone number is (360) 902-9820, and the fax number is (360) 586-4694.

If no further action is taken, the Director's determination becomes final.

c: Polly Berseth, PhD  
Holly Karpstein, WWU HR  
Lisa Skriletz, SHR

Enclosure: List of Exhibits

**POLLY BERSETH v WWU**  
**ALLO-12-060**

**A. Polly Berseth Exhibits**

1. Director's Review Form received November 13, 2012 (2 pages)
2. Listing of duties attachment (Part V) to Director's Review Form (2 pages)
3. October 19, 2012 WWU allocation determination (3 pages)
4. Research Analyst 4 classification with highlighted duties (3 pages)
5. January 10, 2013 exhibit submission and exhibit list 1-18:
  - 1) Photographs and Descriptions of Scientific Instruments maintained by AMSEC (p.1-6)
  - 2) XRD Standard Operating Procedures Manual revised by Polly Berseth (p.7-10)
  - 3) Atomic Force Microscope Standard operating Procedures drafted by Polly Berseth (p.11-15)
  - 4) DSC and TGA Analysis Software Universal Analysis Standard Operating Procedures drafted by Polly Berseth (p.15-21)
  - 5) DSC Standard Operating Procedures (Concise Operating Procedures) drafted by Polly Berseth (p.22-24)
  - 6) Standard Operating Procedures for Inductively Coupled Plasma Mass Spectrometer (ICPMS) with liquid samples drafted by Polly Berseth (p.25-40)
  - 7) Standard Operating Procedures for Laser Ablation Inductively Coupled Plasma Mass Spectrometer (LA-ICPMS) with solid samples drafted by Polly Berseth (p.41-64)
  - 8) Standard Operating Procedures for Olympus SZX16 Microscope drafted by Polly Berseth (p.65-70)
  - 9) TGA Standard Operating Procedures drafted by Polly Berseth (p.71)
  - 10) Denton Vacuum Evaporator Standard Operating Procedures drafted by Polly Berseth (p.72-76)
  - 11) Thin Film XRR Standard Operating Procedures (p.77-90)
  - 12) Work Flow Demonstrative Flow Chart for Research Projects with outside regional corporate clients (p.91)
  - 13) Email communication a point person for AMSEC with Company Representatives – NW Podiatric (p.92-97)
  - 14) Report of Research Findings to NW Podiatric (p.98-99)
  - 15) Email communication as point person for AMSEC with Company Representatives – Cascade Dafo (p.100-102)
  - 16) Report of Research Findings to Cascade Dafo (p.103-107)
  - 17) Additional email communication as point person for AMSEC (p.108-113)
  - 18) Provision of expert advice to internal clients (p.114)

**B. WWU Exhibits**

1. Position Questionnaire (9 pages - org chart on page 5)
2. Report of Position Review - October 19, 2012 WWU allocation determination (3 pages)
3. Research Analyst 4 job description (3 pages)

4. Classification specifications used for allocation (7 pages)
5. WWU response to Ms. Berseth comments on Part V of Director's Review Form, Exhibit A2 (3 pages)

**C. Class Specifications**

1. Research Analyst 4 (501H)
2. Research Analyst 5 (501I)
3. Management Analyst 5 (109M)
4. Program Specialist 5 (107L)
5. Instruction and Classroom Support Technician 4 (255Q) and class series concept